

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA

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DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

CIVIL ACTION NO. 2:21-cv-260-WHA-CSC

(To be supplied by Clerk of
U.S. District Court)* ALL DEFENDANTS ACTED
UNDER COLOR OF STATE LAW* ALL DEFENDANTS ARE SUED
IN THEIR INDIVIDUAL &
OFFICIAL CAPACITIES* PLAINTIFF REQUESTS A
TRIAL by JURYPETRO DERIN PUGH #192319
Full name and prison number
of plaintiff(s)

v.

BRANDON FLAHERTY, COVICTOR NIEVES, LT.PARIS THOMAS, COName of person(s) who violated
your constitutional rights.
(List the names of all the
persons.)

I. PREVIOUS LAWSUITS

A. Have you begun other lawsuits in state or federal court
dealing with the same or similar facts involved in this
action? YES () NO (☒)B. Have you begun other lawsuits in state or federal court
relating to your imprisonment? YES () NO (☒)C. If your answer to A or B is yes, describe each lawsuit
in the space below. (If there is more than one lawsuit,
describe the additional lawsuits on another piece of
paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s) N/ADefendant(s) N/A2. Court (if federal court, name the district; if
state court, name the county) N/A

3. Docket number NIA
4. Name of judge to whom case was assigned NIA
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) NIA
6. Approximate date of filing lawsuit NIA
7. Approximate date of disposition NIA

II. PLACE OF PRESENT CONFINEMENT

VENTRESS CORR. FAC.

PLACE OF INSTITUTION WHERE INCIDENT OCCURRED

VENTRESS CORR. FAC.

III. NAME AND ADDRESS OF INDIVIDUAL(S) YOU ALLEGE VIOLATED YOUR CONSTITUTIONAL RIGHTS.

NAME

ADDRESS

- | | |
|--------------------------|----------------------------|
| 1. <u>BRANDON FLOYD</u> | <u>VENTRESS CORR. FAC.</u> |
| 2. <u>VICTOR NIEVES</u> | <u>379 HIGHWAY 239, N</u> |
| 3. <u>PARIS THOMPSON</u> | <u>CLAYTON, AL. 36016</u> |
| 4. _____ | _____ |
| 5. _____ | _____ |
| 6. _____ | _____ |

IV. THE DATE UPON WHICH SAID VIOLATION OCCURRED

NOVEMBER 18th, 2020

V. STATE BRIEFLY THE GROUNDS ON WHICH YOU BASE YOUR ALLEGATION THAT YOUR CONSTITUTIONAL RIGHTS ARE BEING VIOLATED:

GROUND ONE: 8th AMENDMENT
FAILURE TO PROTECT

STATE BRIEFLY THE FACTS WHICH SUPPORT THIS GROUND. (State as best you can the time, place and manner and person involved.)

AT VENTRESS CORR. FAC. INMATE MARVIN
MILLER AIS #316154 MOVED INTO B-
UNIT 4 SIDE BED 10A. MARVIN
MILLER WAS AKA AS M & M.

CONTINUED SEPERATE PAGE(S).

GROUND TWO: _____

SUPPORTING FACTS: _____

GROUND THREE: _____

SUPPORTING FACTS: _____

CONTINUED FROM PAGE 3
GROUND ONE
SUPPORTING FACTS:

FOR APPROXIMATELY 14 days possibly longer INMATE MARVIN MILLER HAD BEEN WALKING AROUND B-dorm 4 side, WITH A KNIFE OR ICE PICK IN HIS HAND STARING AT VARIOUS PRISONER'S ALMOST IN A STALKING MANNER SPOOKING NUMEROUS PRISONERS, doing drugs.

DIFFERENT PRISONERS SPOKE TO OFFICER PARIS THOMAS WHO REPLIED "WHAT DO YOU EXPECT ME TO DO" AND SHE WALKED AWAY, SAYING "HE'S HIGH!"

ON NOVEMBER 14, 2020 (APPROXIMATELY) MARVIN MILLER STARTED STAYING AWAKE ALL DAY & NIGHT - mumbling about how PRISONERS WERE OUT TO GET him

ON NOVEMBER 18th, 2021, IN B-4 side AT VENTRESS CORR. FAC. PRISONER'S COMPLAINED TO VICTOR NIEVES, LT. ABOUT MARVIN MILLER'S ACTIONS & CARRYING AN ICE PICK. LT. NIEVES TOOK NO ACTION.

ON NOV. 18TH, 2020, AFTER 2:00 PM SHIFT CHANGE & ONCE THE 2ND SHIFT 1ST COUNT CLEARED PRISONERS WHO LIVED ON B-4 SIDE TOLD OFFICER BRANDON FLOYD ABOUT PRISONER MARVIN MILLER'S ACTIONS & OFFICER BRANDON FLOYD'S REACTION WAS TO GO OUTSIDE ON B-DORM'S PORCH TO SMOKE A CIGARETTE.

AT APPROX. 4:00 PM - PRISONERS ON B-4 SIDE NOTICED MARVIN MILLER USING HIS ICE PICK TO STAB BENCHES & MATTRESSES.


AT APPROX 5:30 PM AS PLAINTIFF PUGH WALKED TOWARDS THE BACK T.V. TO WATCH THE LOCAL NEWS INMATE MARVIN MILLER JUMPED ON PLAINTIFF, STABBING PLAINTIFF IN HIS FACE AND.

NO OFFICERS WERE IN THE DORM NOR IN THE CUBICLE AT THE TIME OF THE ATTACK.

INMATE MARVIN MILLER WAS FOUND GUILTY OF ASSAULT WITH A ~~WEAPON~~ WEAPON AND WAS RECLASSED AND SENT TO A MAXIMUM SECURITY PRISON AND IS LISTED AS THE PLAINTIFF'S ENEMY.

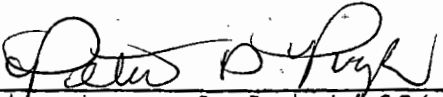
VI. STATE BRIEFLY EXACTLY WHAT YOU WANT THE COURT TO DO FOR YOU. MAKE NO LEGAL ARGUMENT. CITE NO CASES OR STATUTES.

PLAINTIFF SEEKS JUDGEMENT AGAINST
ALL DEFENDANTS FOR "FAILURE TO PROTECT"
CONTINUED SEPERATE PAGE


Signature of plaintiff(s)

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on _____
(Date)


Signature of plaintiff(s)

CONTINUED FROM Relief requested: Page 6 :

Plaintiff seeks the following damages from each Defendant, Individually, Separately and Totally.

- 1). Actual Damages..... \$ 15,000.00 each
- 2). Compensatory Damages \$ 25,000.00 each
- 3). Consequential Damages \$ 10,000.00 each
- 4). Excessive Damages \$ 20,000.00 each
- 5). Punitive Damages \$ 30,000.00 Each
- 6). Future Damages \$ 18,000.00 each
- 7). General Damages \$ 19,000.00 each
- 8). Special Damages \$ 19,000.00 each
- 9). Damage to Person \$ 28,000.00 each

TOTAL: \$ 204,500.00

Any further, different damages as this Honorable Court or Jury deems just, or proper and or appropriate.

PETRO PUGH
692319 B4-6A
U.C.F. 379 Hwy. 239, N.
CLAYTON, AL. 36016

MONTGOMERY AL 360

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U.S. DIST. COURT
MIDDLE DISTRICT
1 CHURCH STREET
SUITE B110
MONTGOMERY, AL

36104-401801

